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Attorneys for Defendants Joshua Constantin and Stuart McMahan

**UNITED STATES DISTRICT COURT FOR THE DISTRICT OF UTAH
CENTRAL DIVISION**

MILLROCK INVESTMENT FUND 1, LLC,

Plaintiff,

v.

HEALTHCARE SOLUTIONS
MANAGEMENT GROUP, INC.;
HEALTHCARE SOLUTIONS HOLDINGS
INC.; LANDES CAPITAL
MANAGEMENT, LLC; LANDES AND
COMPAGNIE TRUST PRIVE KB; JOSHUA
CONSTANTIN; JUSTIN SMITH; STUART
MCMAHEN; AND BLACK LABEL
SERVICES, INC.,

Defendants.

**MOTION TO WITHDRAW AS
COUNSEL**

Case No. 2:23-cv-000157-RJS-DAO

Chief District Judge Robert J. Shelby

Magistrate Judge Daphne A. Oberg

Pursuant to Rules 6(b) and 7(b) of the Federal Rules of Civil Procedure and DUCivR 83-1.4, Keith M. Woodwell, Thomas A. Brady, and Nickolas C. Sessions of the law firm of Clyde Snow & Sessions (“Counsel”) move to withdraw as counsel (the “Motion to Withdraw”) for Defendants Joshua Constantin and Stuart McMahan (“Defendants”).

The basis for the Motion to Withdraw is that an irreconcilable conflict has arisen between Counsel and the Defendants. Attorney-client privilege and the rules of professional conduct preclude Counsel for the Defendants from commenting further in this motion as to the nature of the conflict; however, information regarding the nature of the conflict could be provided to the court for *in camera* review if requested.

There are pending motions and discovery requests in the case, impacting the Defendants, as follows:

1. Defendants' motion for summary judgment (ECF No. 95), filed on March 15, 2024. Plaintiff filed an opposition to the motion on August 8, 2024. The Defendants' reply memo in support of the motion for summary judgment is currently due on August 30, 2024.
2. Plaintiff's Rule 56(d) motion to defer or deny Defendants' motion for summary judgment (ECF No. 123), filed on August 7, 2024. Defendants' opposition to the motion is currently due on August 30, 2024.
3. Plaintiff served written discovery requests on Defendants on July 25, 2024. By previous agreement of the parties, Defendants' responses to the written discovery requests are currently due on September 6, 2024.
4. Plaintiff served notices of depositions for Defendants on August 7, 2024. The notices set September 24, 2024 for the deposition of Stuart McMahan and September 25, 2024 for the deposition of Joshua Constantin.

Defendants Constantin and McMahan have not consented to the withdrawal. The Defendants last-known contact information is included below in the certificate of service. A copy of the Proposed Order is attached as Exhibit "A".

DATED this 19th day of August, 2024.

CLYDE SNOW & SESSIONS

/s/ Keith M. Woodwell

Keith M. Woodwell

Thomas A. Brady

Nickolas C. Sessions

*Attorneys for Defendants Joshua Constantin and
Stuart McMahan*

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 19th day of August 2024, I caused a true and correct copy of the foregoing **MOTION TO WITHDRAW AS COUNSEL** to be sent to the following attorneys of record and parties via the court's e-filing system:

Bentley J. Tolk
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I also hereby certify that the foregoing was served through United States mail and email this 19th day of August, 2024, to the following:

Joshua Constantin
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Slidell, LA 70458
josh@gulfshoresltd.com

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CLYDE SNOW & SESSIONS

/s/ Kelcie Kinsley